



U.S. Department  
of Transportation

Research and  
Special Programs  
Administration

AUG 2 1998  
AUG 12 1998

400 Seventh Street, S.W.  
Washington, D.C. 20590

DOT-E 8861  
(THIRD REVISION)

EXPIRATION DATE: July 31, 2000

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: E.I. Dupont de Nemours & Co., Inc.  
Wilmington, DE
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of certain 6.1 material in DOT Specification 57 portable tanks which are otherwise not authorized. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.24(c)(1), 173.243(c).
5. BASIS: This exemption is based on the application of Hoover Materials Handling Group, Inc. dated May 15, 1996, submitted in accordance with 49 CFR 107.109 and supplemental letters dated June 17, 1998 and E.I. Dupont de Nemours dated June 24, 1998.

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6. HAZARDOUS MATERIALS (49 CFR 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Tributylamine	6.1	UN2542	II

7. SAFETY CONTROL MEASURES: Packagings prescribed are DOT Specification 57 portable tanks tested to at least 12 psig and equipped with a bolted ring type closure for the top opening. Bottom outlets are prohibited. Bottom washouts are authorized. Minimum material thickness (inches) is as follows:

## a. Capacity of 275 U.S. gallons or less

<u>Material</u>	<u>TOP</u>	<u>BODY</u>	<u>BOTTOM</u>
Aluminum	0.237	0.237	0.237
Steel	0.0946	0.0946	0.129
Stainless Steel	0.0996	0.0996	0.0996

## b. Capacity over 275 U.S. gallons and less than 550 U.S. gallons

<u>Material</u>	<u>TOP</u>	<u>BODY</u>	<u>BOTTOM</u>
Aluminum	0.237	0.237	0.237
Steel	0.0946	0.129	0.129
Stainless Steel	0.0996	0.1285	0.1285

8. SPECIAL PROVISIONS:

- a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

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- b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.
  - c. Shippers using the packaging covered by this exemption must comply with the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172; all provisions of this exemption, and all other application requirements contained in 49 CFR Parts 100-180.
  - d. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.
  - e. Each portable tank must be reinspected and retested once every 2 years in accordance with 49 CFR 173.32 as prescribed for DOT Specification 57 portable tank to at least 12 psig.
  - f. Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 8861."
- 9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight.
  - 10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.
  - 11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:
    - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
    - o Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

*Alan I. Robert*

for Alan I. Robert  
Associate Administrator for  
Hazardous Materials Safety

*8/12/98*  
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

Dist: FHWA, FRA  
PO: sdc

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with 49 CFR 107.107 or 107.109, as appropriate:

Company Name City/State	Applica- tion Date	Issue Date	Expiration Date
ATOFINA Chemicals, Inc. Philadelphia, PA (former grantee: Elf Atochem, North America, Inc.)	Jul 28, 2000	AUG 8 2000	Feb 28, 2002



*For* Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety